

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**PAUL DAVID SCHMIDT,**

Petitioner,

v.

**EDWARD EVANS,  
Interim DOC Director,**

Respondent.


**Case No. CIV 12-462-RAW-KEW**

**OPINION AND ORDER**  
**DENYING CERTIFICATE OF APPEALABILITY**

On this date the court dismissed petitioner's petition for a writ of habeas corpus for his failure to exhaust state court remedies. After a careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). See also 28 U.S.C. § 2253(c).

**ACCORDINGLY**, petitioner is denied a certificate of appealability. See Rule 11(a) of the Rules Governing Section 2254 Cases.

**IT IS SO ORDERED** this 17<sup>th</sup> day of September 2013.

  
**RONALD A. WHITE**  
**UNITED STATES DISTRICT JUDGE**